

Message Text

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ACTION EB-08

INFO OCT-01 AF-08 EUR-12 ISO-00 L-03 JUSE-00 TRSE-00
CIAE-00 INR-07 NSAE-00 AID-05 IGA-02 OPIC-03 OMB-01
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-----101239Z 123751 /13

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FM AMEMBASSY LAGOS
TO SECSTATE WASHDC 9213
USDOC WASHDC
INFO AMEMBASSY ACCRA
AMEMBASSY BONN
AMEMBASSY LONDON

C O N F I D E N T I A L LAGOS 1570

E.O. 11652: GDS
TAGS: BEXP, BDIS, EWWT, NI
SUBJECT: CONTINUING NIGERIAN CANCELLED CEMENT CONTRACT PROBLEMS

REF: LAGOS 0067

BEGIN UNCLASSIFIED

1. FEBRUARY 8 BUSINESS TIMES RAN UNBIASED ARTICLE OF UK COURT
OF APPEALS FREEZING NAIRA 8.8 MILLION OF CENTRAL BANK OF
NIGERIAN (CBN) IN UK PENDING CLAIMS SETTLEMENT ARISING FROM
CANCELLED CEMENT CONTRACTS. THE CONTRACTS, CANCELLED BY THE
FMG DURING THE LAGOS 1975 PORT CONGESTION CRISIS, WERE
ALLEGEDLY COVERED BY IRREVOCABLE LETTERS OF CREDIT ESTABLISHED
BY THE CNB IN LONDON. THE COURT REJECTED THE CBN'S ARGUMENT
THAT IT WAS IMMUNE FROM LITIGATION BECAUSE IT WAS AN ARM OF A
SOVEREIGN STATE. END UNCLASSIFIED.
BEGIN CONFIDENTIAL COMMENT

2. THE LONDON RULING, WHICH FOLLOWS A FOREIGN SUPPLIER WINNING
A SIMILAR COMPENSATION CASE AGAINST CBN IN WEST GERMANY IN AUGUST
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SHOULD HELP SUPPORT REQUEST BY THREE U.S. FIRMS (SEE REFTL) TO
U.S. DISTRICT COURT NEW YORK TO ATTACH CBN FUNDS PENDING
SETTLEMENT OF THEIR OWN CANCELLED CEMENT CONTRACT CLAIMS AGAINST
FMG. END CONFIDENTIAL.
EASUM

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CONTRACTS, CEMENT, TRADE COMPLAINTS
Control Number: n/a
Copy: SINGLE
Sent Date: 10-Feb-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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ISecure: 1
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Litigation Codes:
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Retention: 0
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Review Content Flags:
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Secure: OPEN
Status: NATIVE
Subject: CONTINUING NIGERIAN CANCELLED CEMENT CONTRACT PROBLEMS
TAGS: BEXP, BDIS, EWWT, NI
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Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/065774c8-c288-dd11-92da-001cc4696bcc
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